

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

EMMITT G. ROSCOE,	)	
Plaintiff,	)	Civil Action No. 7:16cv00147
	)	
v.	)	
	)	
EARL R. BARKSDALE, <i>et al.</i> ,	)	By: Elizabeth K. Dillon
Defendants.	)	United States District Judge

**ORDER**

In accordance with the memorandum opinion entered this day, it is hereby ORDERED as follows:

1. Roscoe's motion seeking preliminary injunctive relief (Dkt. No. 37) is DENIED;
2. Roscoe's motion to receive declarations (Dkt. No. 42) is DENIED;
3. Roscoe's first motion to amend (Dkt. No. 45) is GRANTED, and his second and third motions to amend (Dkt. Nos. 49 and 50) are DENIED;
4. The clerk shall ADD P. Scarberry and B. Taylor as defendants and NOTIFY them of the action, pursuant to Rule 4 of the Federal Rules of Civil Procedure;
5. Defendants Dr. Moore and Nurse Mullins's motion to dismiss (Dkt. No. 38) is GRANTED in part as to Roscoe's official capacity damages claims; and the motion to dismiss is DENIED in part as to all of his other claims against these defendants;
6. Pursuant to Standing Order 2013-6, Dr. Moore and Nurse Mullins are DIRECTED to file a motion for summary judgment within thirty (30) days of the entry of this order;
7. Defendants Barksdale, Messer, Brock, Gibson, Lawson, Addington, and Smith's motion for summary judgment (Dkt. No. 28) is GRANTED;

8. The clerk shall TERMINATE Barksdale, Messer, Brock, Gibson, Lawson, Addington, and Smith as defendants;
9. The clerk shall provide a copy of this order and the memorandum opinion to all counsel of record and to Roscoe.

Entered: March 31, 2017.

*/s/ Elizabeth K. Dillon*

Elizabeth K. Dillon  
United States District Judge